

<p>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</p> <p><b>Summer Shaw, Esq. (SBN 283598)</b> <b>SHAW &amp; HANOVER, PC</b> <b>44-901 Village Court, Suite B</b> <b>Palm Desert, CA 92260</b> <b>Telephone No.: (760) 610-0000</b> <b>Facsimile No.: (760) 687-2800</b> <b>Email: ss@shaw.law</b></p>	<p>FOR COURT USE ONLY</p>
<p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: <b>Robert Whitmore, Chapter 7 Trustee</b></p>	

**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION**

In re:	CASE NO.: <b>6:22-bk-13278-SY</b>
	CHAPTER: <b>7</b>
<b>Greggory D Cannon</b>	<b>AMENDED<sup>1</sup> NOTICE OF SALE OF ESTATE PROPERTY</b>
Debtor.	

<b>Sale Date: August 10, 2023</b>	<b>Time: 9:30 a.m.</b>
<b>Location: 3420 Twelfth Street, Riverside, CA 92501</b>	

**Type of Sale:** ☒ Public ☐ Private **Last date to file objections:** **July 24, 2023**

<sup>1</sup> Amended solely to correct number 3 below to state: Proposed sale price: \$525,000.00

**Description of property to be sold:**

**1491 Paseo Aurora, San Diego, California 92154 ("Property")**

**Terms and conditions of sale:**

- 1. Subject to court approval, the Trustee has accepted the Buyer's offer to sell the Property for the sum of \$525,000, free and clear of all liens, claims, and interests with the Buyer receiving a credit from the Estate of \$3,000.00 towards closing costs. The Buyer made an initial deposit of \$30,000, which the Trustee is holding in trust, pending court approval of the sale. The offer is an all cash offer, all contingencies have been waived.**
- 2. The proposed sale is subject to overbids as set forth below. The initial deposit shall be refundable only if the conditions to the sale are not satisfied or the Buyers are not the successful bidders in the event overbids are received.**
- 3. The proposed sale shall be "as is," "where is," "with all faults," and with no warranties, and the transfer of the Property shall be by grant deed.**

**Proposed sale price: \$525,000.00**

**Overbid procedure (if any): Any potential overbidder is encouraged to obtain a copy of the Motion and contact Trustee's counsel prior to the hearing. The Property will be sold subject to overbid at an open auction (the "Auction") to be conducted by the Trustee, through counsel, before the Court at the time that this Motion is heard. The Trustee has established the following overbid procedures ("Bidding Procedures"), which shall govern any bidding, subject to this Court's approval:**

- 1. Any person or entity that is interested in purchasing the Property (the "Bidders") must serve the Trustee and his counsel with an initial bid in conformance with this paragraph ("Overbid"), such that any overbid is actually received no later than August 8, 2023 at 5:00 p.m. (the "Bid Deadline").**
- 2. Any entity that submits a timely, conforming Overbid shall be deemed a "Qualified Bidder" and may bid for the Property at the hearing. Unless otherwise permitted by the Court, any entity that fails to submit a timely, conforming bid shall be disqualified from bidding for the Property.**
- 3. The Trustee, subject to the rights of a Bidder or party in interest to raise an issue with the Court, shall have sole authority to determine whether a party is a Qualified Bidder.**
- 4. Any Overbid must remain open until the conclusion of the auction ("Auction") of the Property to be held at the hearing on this Motion.**
- 5. Any Overbid must provide for a minimum purchase price of at least \$527,000.00 ("Initial Overbid").**
- 6. Any Overbid must be for the Property "as is," "where is," and "with all faults" and shall not contain any financing, due diligence, or any other contingency fee, termination fee, or any similar fee or expense reimbursement.**
- 7. Any Overbid must be accompanied by a deposit of \$30,000 in certified funds, which funds shall be nonrefundable if the bid is determined by the Court to be the highest and best bid for the Property (the "Best Bid"), and proof satisfactory to the Trustee that such bidder has sufficient funds on hand to complete the sale.**
- 8. Any Overbid must be made by a person or entity who has completed its due diligence review of the Property and is satisfied with the results thereof.**

9. Qualified Overbids must be submitted by August 8, 2023 at 5:00 p.m.

10. If the Trustee receives a timely, conforming Overbid for the Property, the Court will conduct an auction of such property at the hearing, in which all Qualified Bidders may participate. The Auction shall be governed by the following procedures: (a) All Qualified Bidders shall be deemed to have consented to the core jurisdiction of the Bankruptcy Court and to have waived any right to jury trial in connection with any disputes relating to the Auction or the sale of the Property; (b) The minimum bidding increment during the Auction shall be \$1,000; (c) Bidding shall commence at \$527,000.00 (\$5,000 over Buyer's initial bid of \$522,000.00); and (d) The Court will determine which of the bids is the best bid ("Best Bid") and who is successful bidder (the "Successful Bidder").

11. If the Successful Bidder is not the original bidder of record, the Successful Bidder must agree to reimburse the original bidder up to \$2,000 in costs incurred, with the reimbursable expenses limited to loan appraisal fees, physical inspection fees, and termite inspection fees.

12. The Successful Bidder must pay, at the closing, all amounts reflected in the Best Bid in cash and such other consideration as agreed upon.

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Date - August 10, 2023

Time - 9:30 a.m.

Ctrrm - 302 at the United States Bankruptcy Court, Central District of California, 3420 Twelfth Street, Riverside, CA 92501

Contact person for potential bidders (*include name, address, telephone, fax and/or email address*):

Summer Shaw, Esq.

SHAW & HANOVER, PC

44-901 Village Court, St. B

Palm Desert, CA 92260

Telephone No.: (760) 610-0000

Facsimile No.: (760) 687-2800

Email: ss@shaw.law

Date: 07/10/2023

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

**44-901 Village Court, Suite B  
Palm Desert, CA 92260**

A true and correct copy of the foregoing document entitled: **AMENDED NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) **07/10/2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Joseph C Delmotte efcacb@aldridgepite.com, JCD@ecf.inforuptcy.com;jdelmotte@aldridgepite.com
- Summer M Shaw ss@shaw.law, shawsr70161@notify.bestcase.com;shawsr91811@notify.bestcase.com
- Edward A Treder cdcaecf@bdfgroup.com
- United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov
- Julie J Villalobos julie@oaktreelaw.com, oakecfmail@gmail.com;villalobosjr51108@notify.bestcase.com
- Robert Whitmore (TR) rswtrustee@yahoo.com, rwhitmore@ecf.axosfs.com
- Kiana Witcher kiana.witcher@bonialpc.com

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (date) **07/10/2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

**HONORABLE JUDGE'S COPY**  
Honorable Scott H. Yun  
United States Bankruptcy Court  
3420 Twelfth Street, Suite 345  
Riverside, CA 92501-3819

**MANUAL NOTICE LIST**  
Berkshire Hathaway HomeServices, CA  
Properties  
1400 Newport Center Drive  
Suite 200  
Newport Beach, CA 92660

**MANUAL NOTICE LIST**  
Navy Federal Credit Union  
Attn: Bankruptcy  
PO Box 3502  
Merrifield, VA 22119-9911

☐ Service information continued on attached pages 5-6

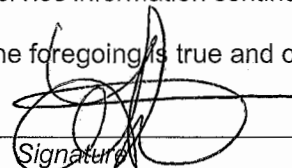
**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

07/10/2023  
Date

Teresa Stone  
Printed Name

  
Signature

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

**2. Served by US Mail Cont.:**

Case 6:22-bk-13278-SY

Doc 48 Filed 07/10/23 Entered 07/10/23 13:50:30 Desc

Berkshire Hathaway HomeServices, CA Property

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JPMorgan Chase Bank, N.A. s/b/m/t Chase Bank

Label Matrix for local noticing

0973-6

Case 6:22-bk-13278-SY

Central District of California

Riverside

Fri Jul 7 13:43:03 PDT 2023

Navy Federal Credit Union

Attn: Bankruptcy

PO Box 3502

Merrifield, VA 22119-9911

Suite 200

Newport Beach, CA 92660-0944

14841 Dallas Pkwy Suite 425

Dallas, TX 75254-8067

American Express National Bank

c/o Becket and Lee LLP

PO Box 3001

Malvern PA 19355-0701

Amex

Correspondence/Bankruptcy

Po Box 981540

El Paso, TX 79998-1540

Avanza Group LLC

3974 AMBOY ROAD, STE 306

Staten Island, NY 10308-2414

Bank of America

Attn: Bankruptcy

4909 Savarese Circle

Tampa, FL 33634-2413

Berkovitch &amp; Bouskila PLLC

1545 US-202

Pomona NY 10970

BiBerk Insurance

PO Box 113247

Stamford CT 06911-3247

Carrington Mortgage Services

Attn: Bankruptcy

1600 South Douglass Road, Ste 110

Anaheim, CA 92806-5951

(p)JPMORGAN CHASE BANK N A

BANKRUPTCY MAIL INTAKE TEAM

700 KANSAS LANE FLOOR 01

MONROE LA 71203-4774

Discover Bank

Discover Products Inc

PO Box 3025

New Albany Ohio 43054-3025

Discover Financial

Attn: Bankruptcy

Po Box 3025

New Albany, OH 43054-3025

FORWARD FINANCING LLC

53 State St 20th Floor

Boston, MA 02109-3204

FRANCHISE TAX BOARD

BANKRUPTCY SECTION MS A340

PO BOX 2952

SACRAMENTO CA 95812-2952

First Insurance Funding

450 Skokie Blvd Ste 1000

Northbrook IL 60062-7917

Holiday Inn Vacations

8505 W. Irlo Bronson Memorial Hwy

Kissimmee, FL 34747-8217

Illum Energy Solutions

4135 Northgate Blvd Suite 9

Sacramento, CA 95834-1226

JPMorgan Chase Bank, N.A.

s/b/m/t Chase Bank USA, N.A.

c/o National Bankruptcy Services, LLC

P.O. Box 9013

Addison, Texas 75001-9013

Kalamata Capital Group

c/o Ariel Bouskila

80 Broad St Ste 3303

New York, NY 10004-2845

(p)FUNDING METRICS LLC

ATTN PAULETTE YIAMBILIS ESQ

FUNDING METRICS LLC

3220 TILLMAN DRIVE SUITE 200

BENSALEM PA 19020-2028

Madison Advance LLC

c/o Israel &amp; Jacob Weinstein

499 Chestnut St Ste 213

Cedarhurst NY 11516-2242

Menas HOA

7592 Metropolitan Dr #401

San Diego, CA 92108-4428

Navient Solutions Inc

Attn: Bankruptcy

P.O. Box 9500

Wilkes-Barre, PA 18773-9500

Navy FCU

Attn: Bankruptcy

Po Box 3000

Merrifield, VA 22119-3000

Navy Federal Credit Union

P.O. Box 3000

Merrifield, VA 22119-3000

Penske Truck Leasing Co LP

PO Box 802577

Chicago IL 60680-2577

Regus Management Group LLC  
111 Westport Plaza Dr Ste 600  
Saint Louis MO 63146

Salest Portfolio Servicing, Inc  
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Attn: Bankruptcy  
Po Box 65250  
Salt Lake City, UT 84165-0250

Spencer Crossing HOA  
35545 Evening Glow Dr  
Murrieta, CA 92563

Triumph Business Capital  
651 Canyon Dr Ste 105  
Coppell TX 75019-4112

USAA Federal Savings Bank  
Attn: Bankruptcy  
10750 Mcdermott Freeway  
San Antonio, TX 78288-1600

Greggory D Cannon  
30659 Aspen Glen St  
Murrieta, CA 92563-1122

Julie J Villalobos  
Oaktree Law  
10900 183rd St Ste 270  
Cerritos, CA 90703-5343